

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78201

Yutaka SHIBAHASHI, et al.

Appln. No.: 10/694,006

Group Art Unit: 3711

Confirmation No.: 3669

Examiner: Alyssa M. HYLINSKI

Filed: October 28, 2003

For: METHOD FOR ALTERNATELY EXPRESSING COLOR-MEMORIZING
PHOTOCHROMIC FUNCTION IN TOY ELEMENT, AND AN ALTERNATELY
COLOR-MEMORIZING PHOTOCHROMIC TOY

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08a form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing

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concurrently herewith a Statement Under 37 C.F.R. § 1.97(c). No fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office (Japanese Office Action dated May 20, 2008) in a counterpart application citing such documents, together with an English-language version of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office. Also, English-language abstracts submitted herewith, constitute concise statements of relevance for JP-A-05-271649 and JP-A-11-116565.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

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WASHINGTON DC SUGHRUE/265550

65565

CUSTOMER NUMBER

Date: August 18, 2008

/Brett S. Sylvester/
Brett S. Sylvester
Registration No. 32,765

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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